

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 12-CR-579
)
GLENN R. UNGER,)
)
Defendant.)
)

GOVERNMENT'S MOTION TO OBTAIN COPY OF OCTOBER 16, 2013 RECORDING

The United States of America, by and through undersigned counsel, respectfully moves for an order permitting disclosure of a video recording that is part of the record in this case.

On October 21, 2013, the Court ordered that the Clerk's Office preserve a copy of the video tape recording that depicts the defendant's conduct immediately before he left the courtroom during his trial on October 16, 2013, and that the video tape be appended to the record. *See* Docket Entry No. 54. On April 28, 2014, the defendant filed a notice of appeal of his conviction. *See* Docket Entry No. 96. In order to prepare its response to the defendant's appeal, the government respectfully requests that it be permitted to obtain a copy of the recording referenced in Docket Entry No. 54.

Dated: August 19, 2014

RICHARD S. HARTUNIAN
United States Attorney

By: /s/
Jeffrey B. Bender
Tax Division Trial Attorney
Pro Hac Vice No. 107065

SO ORDERED:

THE HONORABLE THOMAS J. McAVOY
SENIOR U.S. DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2014, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Rick Baird - Attorney for defendant Glenn Unger

By: _____ /s/
Jeffrey B. Bender
Tax Division Trial Attorney
Pro Hac Vice No. 107065